

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAROBERN, INC.,
Plaintiff,

v.

SHINE BATHROOMS, INC.,
Defendant.Case No. [16-cv-00133-RS](#)**ORDER STRIKING ANSWER**

Defendant Shine Bathrooms, Inc., represented by the Trinh Law Firm, appeared in this action and answered the complaint. Thereafter, however, the Trinh Law Firm's motion to withdraw was granted. Defendant was advised it could not appear except through counsel. Since that time, no new counsel has appeared for defendant. Plaintiff also reports that it has been unable to establish communication with defendants' principal.

Plaintiff seeks summary judgment in its favor or, in the alternative, an order striking defendants' answer so that it may proceed to take a default and apply for default judgment. Pursuant to Civil Local Rule 7-1(b), plaintiff's motion is suitable for disposition without oral argument, and the hearing set for December 22, 2016 is vacated. In light of defendant's failure to appear and participate in this action through counsel or otherwise, the latter relief is warranted. Defendant's answer (Dkt. No. 20) is hereby stricken.

The Case Management Conference also set December 22, 2016 is vacated. Plaintiff is directed to act expeditiously to apply for entry of default and default judgment.

IT IS SO ORDERED.

Dated: December 14, 2016



RICHARD SEEBORG
United States District Judge

United States District Court
Northern District of California